

DUCKOR
SPRADLING
METZGER
& WYNNE
A LAW CORPORATION

RECEIVED
CENTRAL FAX CENTER

OCT 06 2005

DUCKOR, SPRADLING, METZGER & WYNNE
1010 SPRINGFIELD AVENUE • SUITE 100
PALM SPRINGS, CALIFORNIA 92361-2911
TELEPHONE (619) 770-3662
FACSIMILE (619) 771-6629
www.dsmw.com

FACSIMILE TRANSMITTAL

SJO

| To: | FACSIMILE NO.: | TELEPHONE NO.: |
|---|----------------|----------------|
| MAIL STOP AMENDMENT Commissioner for Patents P.O. BOX 1450 Alexandria, VA 22313-1450 | (571) 273-8300 | (571) 272-6878 |

| | |
|----------|---|
| FROM: | Bernard L. Kleinke, Esq. |
| | Applicants: Timothy W. Giraldin, et al. Title: DATA ANALYSIS SYSTEM AND METHOD Appl. No.: 10/716,800 Filing Date: 11/18/2003 Examiner: Mancho, Ronne M. Art Unit: 3663 |
| RE: | |
| FILE NO. | 8591-113 |
| DATE: | October 6, 2005 |

DESCRIPTION OF DOCUMENT, COMMENT OR SPECIAL INSTRUCTIONS:

NUMBER OF PAGES SENT: 16 (including cover sheet)

THE PAGES COMPRISING THIS FACSIMILE TRANSMISSION CONTAIN CONFIDENTIAL INFORMATION FROM DUCKOR, SPRADLING METZGER & WYNNE. THIS INFORMATION IS INTENDED SOLELY FOR USE BY THE INDIVIDUAL OR ENTITY NAMED AS THE RECIPIENT HEREOF. IF YOU ARE NOT THE INTENDED RECIPIENT, BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR USE OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY SO WE MAY ARRANGE TO RETRIEVE THIS TRANSMISSION AT NO COST TO YOU.

PALM SPRINGS AREA OFFICE: 760-544-1441; 800-345-5441; 800-345-5442; 800-345-5443; 800-345-5444; 800-345-5445; 800-345-5446; 800-345-5447

RECEIVED
CENTRAL FAX CENTER
OCT 06 2005

App. No. 10/716,800
Amdt. Dated October 6, 2005
Reply to Office Action of July 6, 2005
Atty. Dkt. No. 8591-113

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Timothy W. Giraldin, et al.

Title: DATA ANALYSIS SYSTEM AND
METHOD

Appl. No.: 10/716,800

Filing Date: 11/18/2003

Examiner: Mancho, Ronne M.

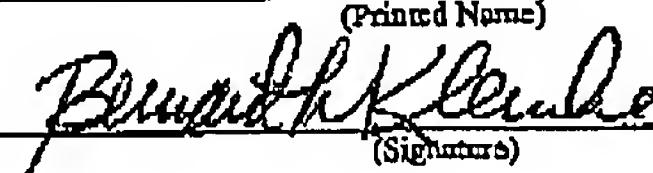
Art Unit: 3663

CERTIFICATE OF MAILING BY FACSIMILE

Date of Deposit: October 6, 2005

I hereby certify that this correspondence is being facsimile transmitted on the date indicated above to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 at telephone No. (571) 273-8300.

Bernard L. Kleinke
(Printed Name)


(Signature)

AMENDMENT TRANSMITTAL

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is:

- A Reply and Amendment in the above-identified application
- The Commissioner is hereby authorized to charge any additional fees which may be required either now or in the future regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any charges or fees must be paid in connection with the foregoing, concurrent or future communication (including, but not limited to, the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment may be respectfully paid out of, or into, the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any such payment also requires a petition or extension request, please

App. No. 10/716,800
Amdt. Dated October 6, 2005
Reply to Office Action of July 6, 2005
Atty. Dkt. No. 8591-113

construe this authorization to pay as the necessary petition or request, which is required to accompany the payment.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By: Bernard L. Kleinke

Bernard L. Kleinke
Attorney for Applicant
Registration No. 22,123

Date: October 6, 2005

DUCKOR SPRADLING METZGER & WYNNE
A Law Corporation
401 West A Street, Suite 2400
San Diego, California 92101-7915

Telephone No.: 619.231.3666
Facsimile No.: 619.231.6629
Email Address: kleinke@dsmwlaw.com

RECEIVED
CENTRAL FAX CENTER

OCT 06 2005

App. No. 10/716,800
Amdt. Dated October 6, 2005
Reply to Office Action of July 6, 2005
Atty. Dkt. No. 8591-113**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Timothy W. Giraldin, et al.

Title: DATA ANALYSIS SYSTEM AND
METHOD

Appl. No.: 10/716,800

Filing Date: 11/18/2003

Examiner: Mancho, Ronne M.

Art Unit: 3663

CERTIFICATE OF MAILING BY FACSIMILE

Date of Deposit: October 6, 2005

I hereby certify that this correspondence is being facsimile transmitted on the date indicated above to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 at telephone No. (703) 273-6300.

Bernard L. Kleinke

(Printed Name)

(Signature)

REPLY AND AMENDMENTMAIL STOP AMENDMENT
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of July 6, 2005, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.**Amendments to the Claims begin on page 3 of this paper.****Remarks/Arguments begin on page 8 of this paper.**